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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

PYO, MONICA M

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/622,151	Applicant(s) KAVACHERI ET AL.	
	Examiner Monica M. Pyo	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-18 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7-18 and 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the Amendment filed 4/3/2006.
2. Claims 1-4, 7-18, and 21-23 are currently pending in this application. Claims 1, 8, and 15 are independent claims. In the Amendment filed 4/3/2006, all independent claims are amended and claims 5-6 and 19-20 are cancelled. This action is made Final.

Specification

3. The specification amendment received on 4/3/2006. The changes are acknowledged and therefore, the specification objections made in a prior Office Action are withdrawn.

Claim Rejections - 35 USC § 112

4. The claim amendment received on 4/3/2006. The changes are acknowledged and therefore, the 35 U.S.C. 112, second paragraph rejections made in a prior Office Action are withdrawn.

Claim Objections

5. Claim 1 is objected to because of the following informalities:

Regarding Claim 1, the term “an entry” in line 9 is objected to as failing to provide proper antecedent basis. The term “an entry” should be changed to “the entry” since this term already has been disclosed in line 7.

Appropriate correction is required.

Response to Arguments

6. Applicant's arguments with respect to claims 1, 8 and 15 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that Britton does not disclose the feature of “an attribute is presented to the device for use.” The Examiner suggests reading the below rejections disclosed by Dowling. In Dowling, this feature of electronically displaying URL is disclosed in col. 11, lns. 59-64. Applicant continues to argue that “the rules/policies are not the content themselves, but rather used to modify (“tailor”) the content that is presented to the client.” However, it should be noted that it is the claims that define the claimed limitation, and it is the claims, not the specification that are anticipated or unpatentable. Thus, applicant’s argument is irrelevant.

Applicant also argues that Britton does not disclose the feature of “selecting an entry in the attribute list based on a characteristic when a device type is not available.” However, the Examiner disagrees. The Examiner suggests reading the below rejections as Britton discloses the feature of selecting a particular hypertext link in col. 1, lns. 57-61. Additionally, Dowling explicitly discloses in col. 29, lns. 21-28 the feature of accessing a bookmark, which correspond to the feature of retrieving an entry from a list of attributes.

In response to applicant’s argument that “Britton fails to disclose both the list of attributes and the selection process of an attribute”, as explained above, it should be noted that Britton discloses the feature of selecting a particular hypertext link. Also, Dowling discloses in col. 29, lns. 21-28 the feature of accessing a bookmark, which correspond to the feature of retrieving an entry from a list of attributes.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-4 and 7-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,654,814 issued to Britton (hereafter Britton) in view of U.S. Patent No. 6,901,429 issued to Dowling et al. (hereafter Dowling).

Claim 1:

Regarding Claim 1, Britton discloses a method of retrieving a device-dependent attribute stored on a portal server, said method comprising:

- establishing communication with a device (Britton: col. 7, lns. 48-56; fig. 1);
- identifying a type of said device (Britton: col. 7, lns. 56-65);
- identifying a characteristic of said type of device, wherein said type is a subset of said characteristic (Britton: col. 1, lns. 45-65; col. 7, lns. 56-65); and
- retrieving an entry from a list of attributes, said entry selected first according to said type of device and second according to said characteristic when said list does not include an entry that corresponds to said type of device (Britton: col. 1, lns. 49-65; col. 8, lns. 5-14; col. 9, lns. 14-46),

Britton does not explicitly disclose:

- wherein said entry is presented to said device for use.

However, Dowling discloses the feature of the NWP 105 can electronically displaying URL on a display surface, which corresponds to wherein said entry is presented to said device for use (Dowling: col. 11, lns. 59-64).

Even Britton does disclose the feature of retrieving an entry from a list of attributes, Dowling discloses the feature of accessing a bookmark, which correspond to the feature of retrieving an entry from a list of attributes (Dowling: col. 29, lns. 21-28).

It would have been obvious to a person with ordinary skill in the art at the time of invention to combine this identifying mobile configuration of Dowling into the web content tailoring system of Britton. Skilled artisan would have been motivated to incorporate the Dowling's teaching of identifying mobile configuration information in the Britton's web content tailoring system to better tailoring the display and to utilize identifying mobile manufacture "brand name" and the model number (Dowling: col. 2, lns. 15-26).

Claim 2:

Regarding Claim 2, Britton and Dowling disclose the method wherein said communication is wireless (Britton: col. 8, lns. 26-38; col. 10, lns. 14-20).

Claim 3:

Regarding Claim 3, Britton and Dowling disclose the method wherein said type of device is identifiable by a brand name and a model number (Dowling: col. 28, lns. 11-20).

Claim 4:

Regarding Claim 4, Britton and Dowling disclose the method wherein said characteristic is identifiable by a type of markup language used by said type of device (Britton: col. 1, lns. 45-65; col. 9, lns. 66-67; col. 10, lns. 1-23).

Claim 7:

Regarding Claim 7, Britton and Dowling disclose the method wherein said list of attributes further comprises entries that are independent of device type and device characteristic (Britton: col. 9, lns. 29-46) and (Dowling: col. 3, lns. 1-18; col. 8, lns. 39-62).

Claim 8:

Regarding Claim 8, Britton discloses a method of storing device-dependent attributes in a server, said method comprising:

- receiving information that identifies a type of device for which an attribute is to be stored, wherein said attribute is dependent on said type of device (Britton: col. 11, lns. 38- 61; fig. 4);
- selecting said attribute according to said type of device (Britton: col. 11, lns. 46-61; fig. 4)
- entering said attribute into a list of attributes, wherein said list is organized into type-specific categories, wherein said attribute is entered into a category specific to said type of device provided said category exists (Britton: col. 4, lns. 33-39; col. 12, lns. 5-24; fig. 4); and
- creating a new category for said attribute provided said category specific to said type of device does not already exist, wherein said attribute is usable by said type of device (Britton: col. 4, lns. 33-39; col. 8, lns. 26-38, 43-62; figs. 4 & 5),.

Britton does not explicitly disclose the use of portal server.

However, Dowling discloses: portal server (Dowling: col. 8, lns. 39-62).

Even Britton does disclose the feature of retrieving an entry from a list of attributes, Dowling discloses the feature of accessing a bookmark, which correspond to the feature of retrieving an entry from a list of attributes (Dowling: col. 29, lns. 21-28).

It would have been obvious to a person with ordinary skill in the art at the time of invention to combine the identifying mobile configuration of Dowling into the web content tailoring system of Britton to utilize the portal server. The term <portal> is defined in the *Microsoft Computer Dictionary* as “a collection of links, contents, and services designed to guide users to information they likely to find interesting”. The AOL is a known to be a <portal> example. Therefore, skilled artisan would have been motivated to incorporate the Dowling’s teaching of utilizing the portal server in the Britton’s web content tailoring system to allow users to have access to an AOL portal (Dowling: col. 2, lns. 15-26).

Claim 9:

Regarding Claim 9, Britton and Dowling disclose the method further comprising establishing a connection with a first device, wherein said attribute is entered into a type-specific category corresponding to a type of said first device (Britton: col. 3, lns. 29-46; col. 4, lns. 8-20).

Claim 10:

Regarding Claim 10, Britton and Dowling disclose the method further comprising:

- establishing a connection with a first device (Britton: col. 3, lns. 29-46); and
- receiving information from said first device identifying a second device, wherein said attribute is entered into a type-specific category corresponding to a type of said second device (Britton: col. 4, lns. 21-36; 66-67; col. 5, lns. 1-21 – Britton

discloses a desktop workstation and a PDA which correspond to <a type-specific category>).

Claim 11:

Regarding Claim 11, Britton and Dowling disclose the method wherein said portal server is a wireless portal server operable to communicate wirelessly with client devices (Dowling: col. 4, lns. 48-67; col. 5, lns. 1-7; col. 20, lns. 46-58).

Claim 12:

Regarding Claim 12, Britton and Dowling disclose the method wherein said type of device is identifiable by a brand name and a model number (Dowling: col. 28, lns. 11-20).

Claim 13:

Regarding Claim 13, Britton and Dowling disclose the method wherein said characteristic is identifiable by a type of markup language used by said type of device (Britton: col. 9, lns. 66-67; col. 10, lns. 1-14).

Claim 14:

Regarding Claim 14, Britton and Dowling disclose the method wherein said list of attributes further comprises a category for attributes that are independent of device type (Britton: col. 4, lns. 33-39; col. 9, lns. 29-46) and (Dowling: col. 3, lns. 1-18; col. 8, lns. 39-62).

9. Claims 15-18 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Britton in view of U.S. Patent No. 7,010,537 issued to Eyal et al. (hereafter Eyal), and further in view of Dowling.

Claim 15:

Regarding Claim 15, Britton discloses a computer-usable medium having computer-readable program code embodied therein for causing a portal server system to perform a method comprising:

- communicating with a device (Britton: col. 7, lns. 48-56; fig. 1);
- identifying from said communicating a type of device for which a first attribute is to be stored, wherein said first attribute is dependent on said type of device (Britton: col. 11, lns. 38- 61; fig. 4);
- associating said type of device with said first attribute when said first attribute is selected and stored in a list of attributes (Britton: col. 11, lns. 46-61); and
- retrieving a second attribute from said list according to one selected from the group consisting of said type of device and a characteristic of said type of device when said list does not include an attribute that corresponds to said type of device, wherein said type is a subset of said characteristic (Britton: col. 1, lns. 45-65; col. 7, lns. 51-65; col. 9, lns. 14-46; col. 11, lns. 46-61).

Britton does not explicitly disclose:

wherein said first attribute and second attribute are usable by said device.

However, Eyal discloses the feature of displaying both URL1 and URL2 in one web browser, which corresponds to wherein said first attribute and second attribute are usable by said device (Eyal: col. 3, lns. 61-65).

It would have been obvious to a person with ordinary skill in the art at the time of invention to combine the Eyal's teaching of displaying both URLs (attributes) in a web browser into the web content tailoring system of Britton. Skilled artisan would have been motivated to

incorporate the feature of displaying both URLs of Eyal in the Britton's web content tailoring system to better tailoring the display and to utilize the feature of displaying both URLs in one device (Eyal: col. 1, lns. 31-36).

Claim 16:

Regarding Claim 16, Britton and Eyal disclose the computer-readable medium wherein said communicating is wireless (Britton: col. 8, lns. 26-38; col. 10, lns. 14-20).

Claim 17:

Regarding Claim 17, Britton and Eyal do not explicitly disclose the computer-readable medium wherein said characteristic is identifiable by a brand name and a model number.

However, Dowling discloses said characteristic is identifiable by a brand name and a model number (Dowling: col. 28, lns. 11-20).

It would have been obvious to a person with ordinary skill in the art at the time of invention to combine the identifying mobile configuration of Dowling into the Eyal's teaching of displaying both URLs (attributes) in a web browser, and into the web content tailoring system of Britton. Skilled artisan would have been motivated to incorporate the Dowling's teaching of identifying a characteristic by it's brand name a model number in the feature of displaying both URLs of Eyal, and in the Britton's web content tailoring system to utilize the identification of a characteristic by a brand name a model number (Dowling: col. 2, lns. 15-26).

Claim 18:

Regarding Claim 18, Britton and Eyal and Dowling disclose the computer-readable medium wherein said characteristic is identifiable by a type of markup language used by said type of device (Britton: col. 1, lns. 45-65; col. 9, lns. 66-67; col. 10, lns. 1-23).

Claim 21:

Regarding Claim 21, Britton and Eyal and Dowling disclose the computer-readable medium wherein said list of attributes further comprises attributes that are independent of device type and device characteristic (Britton: col. 9, lns. 29-46) and (Dowling: col. 3, lns. 1-18; col. 8, lns. 39-62).

Claim 21 is rejected based upon the same reasoning as Claim 7.

Claim 22:

Regarding Claim 22, Britton and Eyal and Dowling disclose the computer-readable medium wherein said first attribute corresponds to said device communicating with said portal server system (Britton: col. 9, lns. 29-46) and (Dowling: col. 8, lns. 39-62; col. 20, lns. 46-58).

Claim 23:

Regarding Claim 23, Britton and Eyal and Dowling disclose the computer-readable medium wherein said first attribute corresponds to another device different from said device communicating with said portal server system, said other device identified during said communicating (Britton: col. 4, lns. 21-39; col. 9, lns. 29-46) and (Dowling: col. 8, lns. 39-62).

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

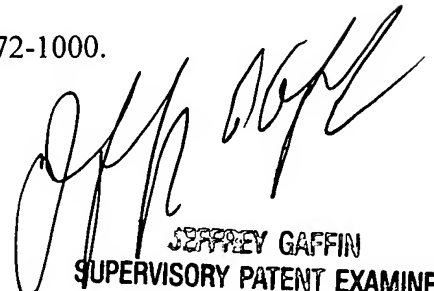
the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica M. Pyo whose telephone number is 571-272-8192. The examiner can normally be reached on Mon-Fri 6:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Monica M Pyo
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